

# LETTERA / MOSIELLO LLP

2900 Westchester Ave., Suite 200, Purchase, New York 10577  
Tel: 914-481-8900 • Fax: 914-481-8905  
[www.lmalawgroup.com](http://www.lmalawgroup.com)

John C. Lettera  
Jodi A. Mosiello\*  
\*Admitted in NY, CT and FL

Michele A. Perez, Paralegal  
Caterina Paternoster, Paralegal

June 6, 2013  
*Via Certified Mail  
and First Class Mail*

## TERMINATION NOTICE

Allan M. Stern Esq.  
246 Mineola Blvd  
Mineola, NY 11501

**Re: *Contract of Sale dated December 27, 2012***

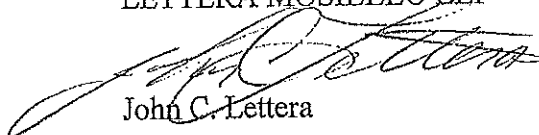
Dear Mr. Stern:

Reference is made to that certain Contract of Sale by and between Buhre Beverage Dist, Inc. and PBR Beverage Inc. dated as of December 27, 2013 (the "Contract"). Please be advised that PBR Beverage Inc. is hereby terminating the Contract pursuant to Section 2.01(d). Pursuant to said section, if Bhaveen Sapra's route transfer application is not approved by April 1, 2013 then either party shall terminate the Contract.

Furthermore, we hereby demand the return of the \$275,000.00 down payment within 5 days of receipt of this notice pursuant to Section 2.01(d).

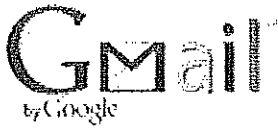
Very truly yours,

LETTERA MOSIELLO LLP



John C. Lettera

JCL/mp



John C. Lettera <john@lmalawgroup.com>

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**Fw: Pepsi**

Allan Stern <astern1111@yahoo.com>  
Reply-To: Allan Stern <astern1111@yahoo.com>  
To: John Lettera <john@lmalawgroup.com>

Thu, Jul 18, 2013 at 4:41 PM

----- Forwarded Message -----

From: Allan Stern <astern1111@yahoo.com>  
To: Bill Sanchez <sanchome@optonline.net>  
Sent: Thursday, July 18, 2013 3:51 PM  
Subject: Re: Pepsi

John: Your client is in default and as a courtesy to you, I have attached a copy of the Notice of Default. I intend to release the escrow to my client as set forth in the attachment.

Allan

---

From: John C. Lettera <john@lmalawgroup.com>  
To: Allan Stern <astern1111@yahoo.com>  
Cc: Bill Sanchez <sanchome@optonline.net>  
Sent: Thursday, July 18, 2013 2:40 PM  
Subject: Re: Pepsi

Allan, as of this moment, my client does not want to proceed with the deal. The current structure is not what was initially agreed to. Please send the deposit back to the attached account ASAP. Thank you.

On Thu, Jul 18, 2013 at 2:18 PM, Allan Stern <astern1111@yahoo.com> wrote:

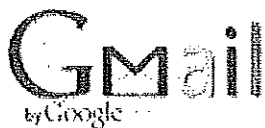
John: Based upon our prior direct and electronic conversations, I believe that I understand what is going on. I hope that we can put our heads together to resolve the very recent "outstanding issues". Allan

--  
John C. Lettera

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2900 Westchester Avenue  
Purchase, New York 10577

T: 914.481.8900  
F: 914.481.8905



John C. Lettera <john@lmalawgroup.com>

---

**Re: Fw: Pepsi**

---

Allan Stern <astern1111@yahoo.com>  
Reply-To: Allan Stern <astern1111@yahoo.com>  
To: "John C. Lettera" <john@lmalawgroup.com>

Thu, Jul 18, 2013 at 5:42 PM

John: I have received your email and attachment. Please note my current address on my correspondence. Additionally, notice is to be sent to my client as required.  
Allan

---

**From:** John C. Lettera <john@lmalawgroup.com>  
**To:** Allan Stern <astern1111@yahoo.com>  
**Cc:** Pratap Sapra <pratap@somagroupusa.com>  
**Sent:** Thursday, July 18, 2013 5:35 PM  
**Subject:** Re: Fw: Pepsi

Please see attached and confirm receipt. Thank you.

On Thu, Jul 18, 2013 at 4:41 PM, Allan Stern <astern1111@yahoo.com> wrote:

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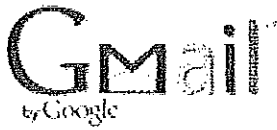
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E: john@lmalawgroup.com



John C. Lettera <john@lmalawgroup.com>

---

**Re: Fwd: Fw: Pepsi**

Allan Stern <astern1111@yahoo.com>

Thu, Jul 18, 2013 at 6:23 PM

Reply-To: Allan Stern <astern1111@yahoo.com>

To: "John C. Lettera" <john@lmalawgroup.com>, Bill Sanchez <

John: I will not respond to each of your demands because a court will have to resolve these disputes, but I do not intend to deposit the escrow into the Clerk of the Westchester Supreme Court. Be advised I escrowed only the \$175,000 received from your client on December 27, 2012. Allan Stern

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**From:** John C. Lettera <john@lmalawgroup.com>

**To:** sanhome@optonline.net; astern1111@yahoo.com

**Sent:** Thursday, July 18, 2013 5:58 PM

**Subject:** Fwd: Fw: Pepsi

----- Forwarded message -----

**From:** John C. Lettera <john@lmalawgroup.com>

**Date:** Thu, Jul 18, 2013 at 5:57 PM

**Subject:** Re: Fw: Pepsi

**To:** Allan Stern <astern1111@yahoo.com>

**Cc:** sanhome@optonline.net, Pratap Sapra <pratap@somagroupusa.com>

As requested.

On Thu, Jul 18, 2013 at 5:42 PM, Allan Stern <astern1111@yahoo.com> wrote:

John: I have received your email and attachment. Please note my current address on my correspondence. Additionally, notice is to be sent to my client as required. Allan

---

**From:** John C. Lettera <john@lmalawgroup.com>

**To:** Allan Stern <astern1111@yahoo.com>

**Cc:** Pratap Sapra <

**Sent:** Thursday, July 18, 2013 5:35 PM

**Subject:** Re: Fw: Pepsi

Please see attached and confirm receipt. Thank you.

## Anne Penachio

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**From:** pratap sapra [mailto:pratap.sapra@pratap.com]  
**Sent:** Friday, May 31, 2013 9:02 PM  
**To:** bill.sanchez  
**Subject:** RE: Re. PBR / Pepsi

Dear Bill.

The attached email was sent to you on Tuesday, and I have not heard back from you at all. As you would be aware, John spoke with Alan yesterday evening at length, regarding where we are with this deal. As I see it, this will still take its own time before an interview takes place, and approval granted and then closing. I am still very interested in closing this deal, however I have had my deposit out to you since end December which is not earning me any income, Bhaveen has been working there without an income, and this is not acceptable to me. As of now, I need either to get back my money immediately and when the deal is confirmed I will give it back or I need to get an income on the money and not just a 3 or 4% interest rate because that's not going to work for me either. I need this situation corrected on Monday morning without fail. I would also appreciate it if you would send me the revised applications that were submitted for my reference. I am available through the weekend if you wish to speak.

Thanks  
Pratap.

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**From:** pratap sapra [mailto:pratap.sapra@pratap.com]  
**Sent:** Tuesday, May 28, 2013 6:20 PM  
**To:** 'bill.sanchez'  
**Subject:** Re. PBR / Pepsi

Dear Bill.

We are now at the end of May and I am still not sure which way this deal is going. Therefore, if by Friday I don't have a firm direction, than I want my money back. If the deal is still going to close after that, I will then give the money back to you.

Regards  
Pratap.

## Anne Penachio

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**From:** pratap sapra [  
**Sent:** Tuesday, May 28, 2013 5:55 PM  
**To:** 'John C. Lettera'  
**Subject:** Re. PBR / Pepsi

John.

Please advise on this.

Pratap.

Dear Bill,

We are now at the end of May and I am still not sure which way this deal is going. Therefore, if by Friday I don't have a firm direction, than I want my money back. If the deal is still going to close after that, I will then give the money back to you.

Regards  
Pratap.

## Anne Penachio

---

**From:** pratap sapra  
**Sent:** Wednesday, May 29, 2013 12:58 PM  
**To:** 'John C. Lettera'  
**Subject:** Re. Wire Instructions

John.

Please find below wire instructions for your reference.

To. Bank of America  
Account no. 7147  
ABA Routing no. 026009593  
Beneficiary. Pratap Sapra

I sent out the email to Bill yesterday evening, but I have received no response from him. Maybe he is taking us for granted, because if nothing on Friday, than I think Alan Stern needs a call from you to return our money.

Regards  
Pratap.